

IN THE COURT OF APPEALS FOR THE
SECOND DISTRICT OF TEXAS

CRYSTAL MASON,
APPELLANT

V.

THE STATE OF TEXAS,
APPELLEE

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FILED IN
2nd COURT OF APPEALS
FORT WORTH, TEXAS
12/17/2018 3:25:37 PM
DEBRA SPISAK
Clerk
NO. 02-18-00138-CR

**STATE'S FIRST MOTION FOR EXTENSION OF TIME
TO FILE ITS BRIEF ON APPEAL**

TO THE HONORABLE COURT OF APPEALS:

Pursuant to TEX. R. APP. P. 10.5(b), the State requests that the Court extend the time for filing the State's brief by sixty days, thus creating a new due date of February 19, 2019. The following allegations are made in support of this motion:

I.

The court below is the 432nd Judicial District Court of Tarrant County, Texas. The cause below was styled *The State of Texas v. Crystal Mason*, cause number 1485710D. The Hon. Ruben Gonzalez, Jr., presided.

II.

On March 28, 2018, the trial court found Appellant guilty of illegal voting and sentenced her to five years' confinement in the Institutional Division of the Texas Department of Criminal Justice. Appellant is currently incarcerated.

III.

Appellant filed a notice of appeal on March 28, 2018. The reporter's record was filed on May 21, 2018, and the clerk's record was filed on July 24, 2018.

IV.

Appellant was granted eighty-eight days in extensions to file her brief. Appellant filed her brief on November 19, 2018. The State's brief currently is due on December 19, 2018. The State has not previously requested an extension of time to file its brief replying to Appellant's brief.

V.

This extension is not requested for purposes of delay, but in order to fully respond to Appellant's five points of error on appeal. Granting the State's motion should not significantly delay submission of the case.

VI.

Counsel filed the State's brief in the death-penalty direct appeal of *Amos Joseph Wells III v. The State of Texas*, No. AP-77,070, on December 3, 2018. Counsel also attended and spoke at an in-house death-penalty CLE course for the Criminal District Attorney's Office on December 12-13, 2018; and is preparing the State's petition for discretionary review in *Michael Ray Senn v. The State of Texas*, No. PD-1265-18. Counsel will be out of the office on medical leave from December 28, 2018, until January 9, 2019.

WHEREFORE, PREMISES CONSIDERED, the State respectfully requests that the Court extend the time for filing the State's brief to February 19, 2019.

Respectfully submitted,

SHAREN WILSON
Criminal District Attorney
Tarrant County, Texas

JOSEPH W. SPENCE
Chief, Post-Conviction

/s/ Helena F. Faulkner
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Certificate of Conference

On December 13, 2018, Appellant's counsel, Alison Grinter, informed the undersigned counsel by telephone that she does not oppose this motion for extension of time to file the State's brief.

/s/ Helena F. Faulkner
HELENA F. FAULKNER

Certificate of Service

On December 17, 2018, this State's motion was e-served on Appellant's counsel, Alison Grinter, alisongrinter@gmail.com; and Kim T. Cole, kcole@kcolelaw.com.

/s/ Helena F. Faulkner
HELENA F. FAULKNER